

{As Amended by House Committee of the Whole}

As Amended by House Committee

Session of 2013

## HOUSE BILL No. 2025

By Committee on Health and Human Services

1-17

1 AN ACT ~~creating the joint committee on~~ establishing the Robert G.  
2 **(Bob) Bethell joint committee on home and community based**  
3 **services and KanCare oversight; amending K.S.A. 2012 Supp. 39-**  
4 **7,160 and 39-7,162 and repealing the existing sections; also repealing**  
5 **K.S.A. 2012 Supp. 39-7,161 and 46-3501.**  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2012 Supp. 39-7,160 is hereby amended to read as  
9 follows: 39-7,160.(a) There is hereby established the **Robert G. (Bob)**  
10 **Bethell joint committee on home and community based services and**  
11 **KanCare oversight.** The joint committee shall review the number of  
12 individuals who are transferred from state or private institutions and long-  
13 term care facilities to the home and community based services and the  
14 associated cost savings and other outcomes of the money-follows-the-  
15 person program. The joint committee shall review the funding targets  
16 recommended by the interim report submitted for the 2007 legislature by  
17 the joint committee on legislative budget and use them as guidelines for  
18 the future funding planning and policy making. The joint committee shall  
19 have oversight of savings resulting from the transfer of individuals from  
20 state or private institutions to home and community based services. As  
21 used in K.S.A. 2012 Supp. 39-7,159 through 39-7,162, and amendments  
22 thereto, "savings" means the difference between the average cost of  
23 providing services for individuals in an institutional setting and the cost of  
24 providing services in a home and community based setting. The joint  
25 committee shall study and determine the effectiveness of the program and  
26 cost-analysis of the state institutions or long-term care facilities based on  
27 the success of the transfer of individuals to home and community based  
28 services. The joint committee shall consider the issues of whether  
29 sufficient funding is provided for enhancement of wages and benefits of  
30 direct individual care workers and their staff training and whether adequate  
31 progress is being made to transfer individuals from the institutions and to  
32 move them from the waiver waiting lists to receive home and community  
33 based services. The joint committee shall review and ensure that any  
34 proceeds resulting from the successful transfer be applied to the system of

1 joint committee shall be appointed by the president of the senate.  
2 Chairperson and vice-chairperson shall alternate annually between the  
3 members appointed by the speaker of the house of representatives and the  
4 president of the senate. The ranking minority member shall be from the  
5 same chamber as the chairperson. ~~The joint committee shall meet at least  
6 four times each year at the call of the chairperson of the joint committee.~~  
7 **On and after the effective date of this act, the joint committee shall**  
8 **meet at least three times when the legislature is in regular session and**  
9 **at least once during each of the second, third and fourth calendar**  
10 **quarters, on the call of the chairperson.** ~~Five Six~~ members of the joint  
11 committee shall constitute a quorum.

Once

12 (e) (1) At the beginning of each regular session of the legislature, the  
13 committee shall submit to the president of the senate ~~and~~, the speaker of  
14 the house of representatives, **the house committee on health and human**  
15 **services and the senate committee on public health and welfare a**  
16 **written report on numbers of individuals transferred from the state or**  
17 **private institutions to the home and community based services including**  
18 **the average daily census in the state institutions and long-term care**  
19 **facilities, savings resulting from the transfer certified by the secretary of**  
20 **social and rehabilitation services and the secretary of aging for aging and**  
21 **disability services in a quarterly report filed in accordance with K.S.A.**  
22 **2012 Supp. 39-7,161 and 39-7,162, and amendments thereto, and the**  
23 **current balance in the home and community based services savings fund of**  
24 **the department of social and rehabilitation services and the department on**  
25 **aging— Kansas department for aging and disability services.**

26 (2) *Such report submitted under this subsection shall also include,*  
27 *but not be limited to, the following information on the KanCare program:*

28 (A) *Quality of care and health outcomes of individuals receiving state*  
29 *medicaid services under the KanCare program, as compared to the*  
30 *provision of state medicaid services prior to January 1, 2013;*

31 (B) *Integration and coordination of health care procedures for*  
32 *individuals receiving state medicaid services under the KanCare program;*

33 (C) *Availability of information to the public about the provision of*  
34 *state medicaid services under the KanCare program, including, but not*  
35 *limited to, accessibility to health services, expenditures for health services,*  
36 *extent of consumer satisfaction with health services provided and*  
37 *grievance procedures, including quantitative case data and summaries*  
38 *of case resolution by the KanCare ombudsman;*

39 (D) *Provisions for community outreach and efforts to promote the*  
40 *public understanding of the KanCare program;*

41 (E) *Comparison of the actual medicaid costs expended in providing*  
42 *state medicaid services under the KanCare program after January 1,*  
43 *2013, to the actual costs expended under the provision of state medicaid*